Wisconsin's Invasive Species Rule: Chapter NR 40

Plant List & Resources for Right-of-Way Managers

The Invasive Species Identification, Classification, and Control Rule (Chapter NR 40, Wis. Adm. Code) classifies invasive species in Wisconsin as ***Prohibited*** or ***Restricted*** and regulates the **transportation, possession, transfer,** and **introduction** of those species. This rule also establishes "Preventive Measures" to show what actions we can take to slow the spread of invasive species. Chapter NR 40 covers over 128 species and affects everyone in Wisconsin.

Prohibited Invasive Species

- Not yet in the state or only in a few places
- Likely to cause environmental or economic harm
- Eradication and prevention is feasible

***Regulations*:** Cannot transport, possess, transfer, or introduce without a permit. Control is required. DNR may order or conduct a control effort.

Restricted Invasive Species

- Already widely established in the state
- High environmental or economic impacts
- Complete eradication is unlikely

***Regulations*:** Cannot transport, transfer, or introduce without a permit. Possession is allowed except for fish or crayfish. Control is encouraged but not required.

Under ch. NR 40, any viable part of the species is covered. Certain exemptions do exist with these regulations. Please consult the website or staff for clarifications.

Go to: **dnr.wi.gov** *type keyword:* **invasives**

Common Roadside Invasives

The following species are commonly found along roadsides in Wisconsin and are easily spread by mowing. Check the full regulated plant list on the DNR invasives website to view all regulated species and see each species' classification.

- **Canada thistle** *(Cirsium arvense)*
- **Common teasel** *(Dipsacus sylvestris = D. fullonum)*
- **Cut-leaved teasel** *(Dipsacus laciniatus)*
- **Dames rocket** *(Hesperis matronalis)*
- **European marsh thistle** *(Cirsium palustre)*
- **Garlic mustard** *(Alliaria petiolata)*
- **Japanese knotweed** *(Polygonum cuspidatum = Fallopia japonica)*
- **Japanese or erect hedgeparsley** *(Torilis japonica)*
- **Leafy spurge** *(Euphorbia esula)*
- **Musk or Nodding thistle** *(Carduus nutans)*
- **Phragmites or Common reed** *(Phragmites australis)*
- **Poison hemlock** *(Conium maculatum)*
- **Purple loosestrife** *(Lythrum salicaria)*
- **Spotted knapweed** *(Centaurea biebersteinii = C. stoebe = C. maculosa)*
- **Tansy** *(Tanacetum vulgare)*
- **Wild chervil** *(Anthriscus sylvestris)*
- **Wild parsnip** *(Pastinaca sativa)*

A printable, color handout of regulated invasive plants is available: http://dnr.wi.gov/invasives/pdfs/NR40Plants.pdf . If you don't have access to a color printer, please contact us and we will mail you copies. *Please post or distribute the photographs of the regulated plants so your staff can become familiar with the invasives along your right-of-ways.*

Reporting and Controlling Prohibited Species

Ch. NR 40 requires the control of prohibited plants, regardless of where they are found. If any prohibited species are found on roads in your county, please contact the DNR at the e-mail address or telephone number below for guidance and assistance in controlling the plants. It is important to report any locations of prohibited plants as soon as possible so DNR staff or our cooperators can assist you in developing a plan of action for immediate control and long-term monitoring. Please report these plants to invasive.species@wi.gov or call 608-267-5066.

Best Management Practices (BMPs)

DNR worked closely with county, state, and local highway officials, as well as utility staff, to develop BMPs to limit the spread of invasive species on right-of-ways. As a result, an online manual details BMPs for invasives for highway planning, construction, and maintenance. View it at: http://council.wisconsinforestry.org/invasives/transportation/ Please familiarize your staff with these BMPs. Two of the most important practices are:

1. **Mow before regulated invasive plants begin to flower or when they are in the early flowering phase.**
2. **Clean your equipment.**

For some situations, it may be as simple as keeping a broom with the mower and stopping briefly to brush off equipment after mowing through a patch of an invasive plant.

Mowing Times

The DNR concurs with WisDOT that long line shoulder mowing be completed by mid-July for road right-of-ways in northern Wisconsin counties. For southern counties, we are recommending that mowing be completed by July 1. Regardless of calendar date, in those right-of-way stretches where ch. NR 40 species are found, it is best to mow just prior to flowering or in the early flowering stage. By mowing before seeds develop you not only meet ch. NR 40 by not spreading the seeds, but in the long term you will be saving time and money by minimizing the spread of these plants. Please review the mowing chart found in the BMP manual which indicates the best mowing times. Note that flowering times are later as you go north and near the Great Lakes, and can vary from year to year. **An early spring means flowering times are likely to be earlier.** Mowing roadsides after invasive plants have gone to seed will spread the seeds – transporting seeds of regulated species in this way is a violation of ch. NR 40.

Invasive Plant Inventories

Most counties do not have maps of the locations of the invasive plants within their right-of-ways. Not having the invasive plants mapped on your roadsides is a significant limitation towards managing them appropriately. Although neither DNR nor WisDOT has funding to assist in conducting inventories, we would like to help you find the resources to complete surveys. There are many people around the state who are familiar with invasive plants and are willing to help counties to identify and/or map them. If you would like us to help you find people in your area that might be interested and available to help, please contact **Kelly Kearns** at **608-267-5066** (kelly.kearns@wi.gov). A key component in getting inventory information is having one person within the county staff compiling the gathered information. This could be as simple as marking up a plat book or large county map. Some commissioners have been working with their county GIS staff to get a GIS layer created for invasive plants.

Additional Resources

Neither WisDOT nor DNR expect your crews to be able to identify all invasive plants right away. Comparatively, there are not many that spread on roadsides and most that do are fairly easy to identify. Over the years, we hope that your staff will become familiar with these plants and where they are located in your county and plan activities accordingly. We have developed a field guide and several handouts to assist your staff in learning to identify these plants. Field guides are available to you at cost ($2 each +shipping). The order form for the field guide is available on the invasives publication page. Go to dnr.wi.gov and search "invasive publications" to view all publications.

If you would like to have an invasive plant training session for your staff, we will try to find someone to assist. Please let us know how we can help you and your staff to learn how to better identify these plants and limit their spread.

For more information, contact:
Kelly Kearns, *Bureau of Endangered Resources*
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